

**BASF CORPORATION RESPONSES TO 104(e) REQUEST FOR INFORMATION
GULFCO MARINE MAINTENANCE, INC.
FREEPORT, TEXAS**

PRELIMINARY STATEMENT: BASF Corporation is among the largest producers and marketers of chemicals and related products in the United States, Canada and Mexico. With headquarters located in Mount Olive, NJ, it operates approximately 40 manufacturing facilities throughout the United States, Canada and Mexico. Its response to this Request is limited to its Freeport, Texas facility, which facility has been purportedly identified as having a nexus to the Gulfco Marine Maintenance Site.

A. General Information Concerning Respondent

1. Provide the full legal name and mailing address of the Respondent.

RESPONSE TO QUESTION NO. 1:

**BASF Corporation
3000 Continental Drive North
Mount Olive, New Jersey 07828-1234**

2. For each person answering these questions on behalf of the Respondent, provide full name, title, business address, and business telephone and facsimile number.

RESPONSE TO QUESTION NO. 2:

**Nan Bernardo, Esquire
BASF Corporation
3000 Continental Drive – North
Mount Olive, NJ 07828-1234
Phone: (973) 426-6006
Fax: (973) 426-3258**

Nan Bernardo supervised the investigation into the available relevant corporate information, records, and documents of BASF Corporation (“BASF”).

**Caroline Hudson
BASF Corporation
3000 Continental Drive – North
Mount Olive, NJ 07828-1234
Phone: (973) 426-3309
Fax: (973) 426-3258**

Caroline S. Hudson conducted an investigation into the available relevant corporate information, records, and documents of BASF.

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The two individuals listed below conducted records searches for contracts.

**Bethann Spiotta, Contract Administration/Policies and Procedures Specialist
BASF Corporation
3000 Continental Drive – North
Mt. Olive, NJ 07828
Phone: (973) 426-2627
Fax: (973) 426-3235**

**Bob Engman, Supply Manager
BASF Corporation
602 Copper Road
Freeport, TX 77541
Phone: (979) 415-6275
Fax: (979) 415-8478**

The following individuals, employed at BASF's Freeport facility, were interviewed regarding information relevant to this inquiry:

**Leonard Moore, Logistics Manager
BASF Corporation
602 Copper Road
Freeport, TX 77541
Phone: (979) 415-6153
Fax: (979) 415-6319**

**Mark Hanna, Senior Truck Coordinator
BASF Corporation
602 Copper Road
Freeport, TX 77541
Phone: (979) 415-6151
Fax: (979) 415-6319**

**Gary Pate, Distribution Administrator
BASF Corporation
602 Copper Road
Freeport, TX 77541
Phone: (979) 415-6356
Fax: (979) 415-6319**

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Mazella Boulden, Ecology Expertise Team Member

BASF Corporation

602 Copper Road

Freeport, TX 77541

Phone: (979) 415-6213

Fax: (979) 415-8485

Alloyd Dunlap, Rail Coordinator II

BASF Corporation

602 Copper Road

Freeport, TX 77541

Phone: (979) 415-6169

Fax: (979) 415-6319

3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, including legal notices, please provide the individual's name, address, telephone number, and facsimile number.

RESPONSE TO QUESTION NO. 3:

Nan Bernardo, Esquire

BASF Corporation

3000 Continental Drive – North

Mount Olive, NJ 07828-1234

Phone: (973) 426-6006

Fax: (973) 426-3258

4. Please include a brief description of the nature and status of the Respondent's business relationship with Gulfco Inc., Gulfco Marine Maintenance, Inc., Fish Engineering and Construction, Inc., Chromolloy American, Hercules Marine Services Corporation, LDL Coastal Limited L.P., LDL Management LLC, and any other previous or current owner or operator of the site.

RESPONSE TO QUESTION NO. 4:

BASF produces various chemicals at its Freeport, Texas facility. It receives raw product from various suppliers through bulk transportation including tank cars, bulk trucks, and barges. Similarly it ships chemicals to its customers via bulk transportation, also including tank cars, bulk trucks, and barges.

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Accordingly, BASF leases a fleet of dedicated barges (currently fifteen) for the transportation of raw materials and products. Periodically these barges are cleaned and subject to routine maintenance. The Freeport facility utilized the services of Hercules Marine Maintenance, Inc. ("Hercules Marine") for this work. This business relationship terminated in 1997. In addition, investigation has suggested that BASF may have utilized "Gulfco" and/or "Fish Engineering" to perform these same services. No written agreements have been discovered which confirm these relationships.

B. Specific Information relating to Site Operations

1. Identify all persons, including the Respondent, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials, hazardous materials, hazardous substances, and/or hazardous wastes ("materials") from various facilities to the Site. This information shall identify and state, but not be limited to, the following:

BASF did not arrange for the disposal, treatment, or transportation for disposal of hazardous substances and/or hazardous waste at the Gulfco Site. It periodically engaged the services of Hercules Marine, and possibly others, to clean and/or maintain barges. ("General Response")

a. The persons with whom the Respondent made such arrangements;

RESPONSE TO B. 1. a.

Subject to its General Response to B., BASF identifies the following individuals knowledgeable of its business relationship with Hercules Marine:

BASF Corporation:

Gary Pate

Mark Hanna

Vernon Phipps – retired

Ken Fox– retired

Robert Peters –deceased

Hercules Marine:

Larry Ballinger

Jimmy Jackson

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Railserve Inc.
1691 Phoenix Blvd.
Atlanta, Ga 30349
And
602 Copper Road
Freeport, TX 77541

Suzette Johnston

Richardson's Tankermen Service:
PO Box 981
West Columbia, TX 77486

Melvin Richardson

- b. The precise locations from which these materials originated;

RESPONSE TO B. 1. b.

Subject to its General Response to B., Stan Trans Terminal, Texas City, Texas, and BASF, Freeport, Texas, both shipped and received the following raw materials and/or products in barges: normal-butanol, 2 ethyl hexanol, iso butanol, carprolactam extract, and analon.

The following entities/locations shipped cyclohexane, a raw material, to the Freeport facility:

ENTITY	LOCATION
Phillips Petroleum	Freeport, TX
Koch Chemicals	Houston, TX
Citgo	Corpus Christi, TX
Chevron	Port Arthur, TX
Huntsman Chemicals	Houston, TX
Mobil	Houston, TX

- c. The nature, including the chemical content, characteristics, physical state (e.g., solid or liquid) and quantity (e.g., volume or weight) of all materials involved in each such arrangement;

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RESPONSE TO B. 1. c.

Subject to the General Response to B., the raw materials and/or products shipped via barge include butanol, 2 ethyl hexanol, iso butanol, caprolactam extract, analon, and cyclohexane are attached. The current MSDS for these are attached at Exhibit A.

- d. All tests, analyses, analytical results, and manifests concerning each material involved in such transactions;

RESPONSE TO B. 1. d

Incorporating by reference its General Response to B., BASF has no responsive information.

- e. The persons who selected the location to which the materials were to be disposed and/or treated. In particular, the persons who selected the Site as a location for disposal and/or treatment of the materials. This information shall include where these persons intended to have the materials involved in each arrangement treated or disposed and all evidence of their intent;

RESPONSE TO B. 1. e

Incorporating by reference its General Response to B., BASF has no responsive information.

- f. The amount paid in connection with each such arrangement, the method of payment, and the identity of the persons involved in each payment transaction; and,

RESPONSE TO B. 1.f.

Incorporating by reference its General Response to B., BASF has no responsive documents. However, it has discovered limited paperwork evidencing the business relationship of its Freeport facility and the Site. Pursuant to 42 U.S.C. § 9604 (e) (2) (C) this documentation is available for inspection.

- g. Provide contracts or other documents reflecting such arrangements for transportation, disposal, and/or treatment of materials.

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RESPONSE TO B. 1. g.

Subject to its General Response to B., BASF has discovered no contracts with the owners/operators of the Site.

2. Provide names, addresses, and telephone numbers of any individuals, including former employees, who may have knowledge of operations at the site.

RESPONSE TO B. 2.

**Leonard Moore, Logistics Manager
BASF Corporation
602 Copper Road
Freeport, TX 77541
Phone: (979) 415-6153**

**Mark Hanna, Senior Truck Coordinator
BASF Corporation
602 Copper Road
Freeport, TX 77541
Phone: (979) 415-6151**

**Gary Pate, Distribution Administrator
BASF Corporation
602 Copper Road
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**Mazella Boulden, Ecology Expertise Team Member
BASF Corporation
602 Copper Road
Freeport, TX 77541
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Vernon Phipps
3407 County Road 361
Brazoria, TX 77422
Phone: (979)-798-2419

Ken Fox
63 Cayenne Common
Lake Jackson, TX 77566
Phone: (979)-297-9421
(last known address)

3. List all federal, state, and local permits, identification numbers, and/or registrations issued to the Respondent's operation for the storage, transport, and/or disposal of materials. Include respective permit numbers.

RESPONSE TO NO. 3

Federal:

Federal Solid Waste Disposal Act: EPA I. D. No. TXD008081697
Clean Water Act: TX0008788

State:

Texas Solid Waste Disposal Act Industrial Solid Waste No. 30024
Texas Hazardous Waste Management Program Permit: HW-50128-000
Wastewater disposal under the Texas Water Code 01802
Underground Injection under the Texas Water Code WDW- 51 and WDW-99
Texas Clean Air Act Permits - See the following list:

Texas Air Permits

BASF Freeport Air Permit - Title	Permit Number	TACB Number	EPA Number
2EHA	9603A	R-9603A	
AAE1	7596A	R-7596A	PSD-TX-284M1
AAE2/3	9513A	R-9513A	PSD-TX-641
BA	7595A	R-7595A	
GAA	9494A	R-9494A	
AMMONIA TERMINAL	9329		
UTILITIES / COGEN	735B	R-735C	PSD-TX-908
CAPRO COMPLEX	1733A	R-1733A	

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BASF Freeport Air Permit - Title	Permit Number	TACB Number	EPA Number
OLEUM STORAGE TANK D-58-3 (58-E?) (SHORE TANK)	1445	R-1445	
POLYCAPROLACTAM	19886	R-19886	
NEOL / HDO	7223A	R-7223A	PSD-TX-193M3
OXO	8074A	R-8074A	
NEOL IN-5100	40799		PSD-TX-959
AMMONIA UNLOADING (USED TO UNLOAD RAILCARS)	X-4450 permit exempt	X-14450	

4. Provide names and addresses for all carriers who transported materials on behalf of Respondent to hazardous waste treatment, storage, or disposal facilities permitted by EPA or the State.

RESPONSE TO NO. 4

The following carriers transported hazardous waste for the Freeport facility during the 2003 calendar year:

**USA Environmental
100 Genoa Red Bluff
Houston, Texas 77034**

**Quality Carriers
701 S. Highway 28
Clute, Texas 77531**

**Bayou City Environmental
10234 Lucore, Suite B
Houston, Texas 77017**

**Safety-Kleen
1580 Industrial Road
Missouri city, Texas 77489-1007**

**Schneider National Bulk
3101 S. Packerland
Green Bay, WI 54304**

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5. Identify whether a Notification of Hazardous Waste Activity was ever filed with the EPA or the corresponding agency or official of the State. This information shall include, but not be limited to, the following:
- a. The date of such filing; and
 - b. The wastes described in such notice:
 - (1) The quantity of the wastes described in such notice; and
 - (2) The identification number assigned to such facility by EPA or the State.

RESPONSE TO NO. 5

Texas Department of Water Resources

Original Part A Application – Submitted August 18, 1980
Waste described in the notice:

<u>Waste</u>	<u>TDWR Sequence Number</u>	<u>TDWR Waste Code Number</u>	<u>EPA Hazard Code</u>	<u>EPA Hazardous Waste No.</u>	<u>Annual Quantity Generated, lbs</u>
Acrylic Polymer	2	180920	C	D002	13,500
Acrylate/Acid Spills	4	111020	I,C	D001	3.4M
500 Blk Liquid Waste	6	111000	I	D001	26M
Phenol	14	110980	T	U188	5000
Formic Acid	14	110980	C, T	U123	300
Aqueous organic Wastes (Acid Water)	15	109450	C	D002	250M
Waste Cyclohexanone Oxime	20	180980	I	D001	10K
Caustic Wash Water	22	109470	C	D002	185M
Waste Organic from Cyclohexanone Plant	24	109580	I	D001	9.6M
PCB Capacitors	27	179430	T		1000
Sulfuric Acid Sludge	28	140310	C	D002	60K

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<u>Waste</u>	<u>TDWR Sequence Number</u>	<u>TDWR Waste Code Number</u>	<u>EPA Hazard Code</u>	<u>EPA Hazardous Waste No.</u>	<u>Annual Quantity Generated, lbs</u>
Contaminated Cooling Tower Chemicals	30	100170	C, T	D002	500
R&D Misc. Organic Chemicals	31	170430	I	D001	4000
Dilute Nitric Acid	32	101110	C	D002	500M
Acetaldehyde		113220	C, I	D001	257K

Environmental Protection Agency November 7, 1980

<u>EPA Hazardous Waste No.</u>	<u>Estimated Annual Quantity of Waste</u>	<u>Unit of Measure</u>
F003	4,200,000	T
F005	Included in above	
U123	300	P
U188	5,000	P
D001	35,900,00	P
D002	443,000	T

6. Identify all federal, state, and local offices and agencies to which the Respondent has sent or filed hazardous substance or hazardous waste information and state the years during which such information was sent or filed.

RESPONSE TO NO. 6

Monthly Waste Shipment Summaries, Annual Waste Summaries, Annual Site Activity Reports have been submitted to the Texas Commission on Environmental Quality and its predecessor agencies from 1976 through the present (2003).

TCEQ used the submitted data to submit the Biennial Report for the State of Texas.

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EXHIBIT A